

**NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

ASAP COPY AND PRINT et al.,

Plaintiffs, Cross-complainants, and  
Appellants;

NINA RINGGOLD,

Appellant,

v.

CANON BUSINESS SOLUTIONS, INC.,  
et al.,

Defendants, Cross-defendants, and  
Respondents;

GENERAL ELECTRIC CAPITAL  
CORPORATION,

Defendant, Cross-complainant, and  
Respondent;

HEMAR ROUSSO & HEALD,

Cross-defendant and Respondent.

B224295, B225702

(Los Angeles County  
Super. Ct. No. PC043358)

**ORDER MODIFYING THE OPINION  
[NO CHANGE IN JUDGMENT]**

THE COURT:\*

GOOD CAUSE appearing, the opinion filed in the above entitled matter on June 4, 2012, is modified as follows:

On page 46, the second paragraph that begins with: “Next, ASAP contends that the 25 percent . . . .” is deleted. The following paragraph is inserted in its place.

Next, ASAP contends that the 25 percent limitation in the attorney's fees clause prevents the respondents from receiving more than 25 percent of the damages sought by CFS's assignee, GE, in its cross-complaint. The 25 percent limitation clause, on its face, applies only if CFS brings an action. In this case, of course, it was ASAP who brought the original action and thus the clause is inapplicable. To the extent ASAP's argument is that the "mutuality of remedy" created by Civil Code section 1717 means that since CFS would be limited to 25 percent of damages sought on a suit *prosecuted* by it, CBS, CFS, and GE should be limited to 25 percent of the damages sought by GE on its cross-complaint in *defense* of a suit brought by ASAP, it is not persuasive.

No change in judgment.

---

DOI TODD, Acting P. J.

CHAVEZ, J.

SORTINO, J.\*

---

\* Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.